

**FILED
UNDER
SEAL**

Prob12C
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Rev. March 2017

**United States District Court
for
the District of Nevada**

**PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION**

Name of Offender: **Jontue Mack**

Case Number: **2:20CR00105**

Name of Sentencing Judicial Officer: **Honorable Andrew P. Gordon**

Date of Original Sentence: **June 27, 2017**

Original Offense: **Failure to Appear (2 counts)**

Original Sentence: **15 Months custody, followed by 18 Months TSR**

Date Supervision Commenced: **February 18, 2022**

PETITIONING THE COURT

☒ To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.

- On February 25, 2022, Mack tested positive for Methamphetamine.
- On the following dates Mack failed to report for drug testing:

March 1, 2022

March 2, 2022

March 7, 2022

RE: Jontue Mack

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March 9, 2022

- 2. Report Within 72 Hours - You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.**

Mack was released from Bureau of Prison custody on February 18, 2022. He did not report to the probation office until February 25, 2022, a week later.

- 3. Follow Instructions Of Probation Officer - You must follow the instructions of the probation officer related to the conditions of supervision.**

- On February 25, 2022, Mack reported to the probation office wherein he was enrolled into the drug testing program. Mack was instructed by the probation officer to call a dedicated phone number nightly to see if he is required to submit to a drug test the following day. Mack was provided with drug testing instructions and the dedicated phone number. Mack has not called into the drug testing line as instructed.
- On March 2, 2022, the undersigned officer contacted Mack telephonically and instructed him to report to the contracted drug and alcohol testing facility on this date to submit to a drug test. Mack failed to follow the probation officer's instruction by not reporting to the facility to submit to a drug test.

- 4. Must Report As Instructed - After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.**

On March 9, 2022, the undersigned officer sent Mack a text message instructing him to report to the probation office at 9 a.m. on March 10, 2022. Mack responded that he would report at 11 a.m. Mack failed to report as directed.

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U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **March 10, 2022**



Digitally signed by
Javier Muruato-Cortez
Date: 2022.03.11
12:08:26 -08'00'

Javier Muruato
U.S. Probation Officer

Approved:

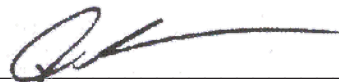


Digitally signed by Todd
Fredlund
Date: 2022.03.11 12:00:58
-08'00'

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
☒ The issuance of a warrant.
☐ The issuance of a summons.
☐ Other:



Signature of Judicial Officer

March 11, 2022

Date

RE: Jontue Mack

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. JONTUE MACK, 2:20CR00105**

**SUMMARY IN SUPPORT OF PETITION FOR WARRANT
March 10, 2022**

By way of case history, Mack was previously convicted in Case Number 2:12CR186 for having committed the offense Felon in Possession of Firearm. While serving the final months of this custodial sentence at the local Residential Reentry Center (RRC) Mack absconded and was charged with Escape, resulting in his conviction in Case Number 2:16CR351.

While under supervised release in the cases noted above, Mack incurred a myriad of violations, to include drug use, commission of a new crime, violations of home confinement, cutting off his monitoring equipment, and absconding. The conduct resulting in his conviction in this case was Mack's failure to appear for his revocation hearings on January 21, 2020 in Case Numbers 2:12CR186 and 2:16CR351. Not only did Mack fail to appear he cut his ankle bracelet off and absconded.

Mack was released from Bureau of Prison (BOP) custody on February 18, 2022. Mack was released from Florence, Colorado, and was provided a bus ticket with destination to Las Vegas, Nevada. He was expected to arrive on February 19, 2022; however, Mack reports that he missed the transfer bus in Denver, Colorado. Mack contacted the probation office in the District of Colorado on February 22, 2022 and informed he was taking a flight to Las Vegas on February 23, 2022. On February 24, 2022 Mack contacted the undersigned officer and informed of his arrival in Las Vegas, Nevada. He was instructed to report to the Probation office for his intake the following day.

On February 25, 2022 Mack reported to the probation office for his intake. His supervision conditions were reviewed, and he was enrolled into the drug testing program. Mack submitted to the initial mandatory drug test which yielded positive results for methamphetamine. Mack denied using methamphetamine after his release but admitted using on February 17, 2022, while in BOP custody. It is noted methamphetamine is detectable in the urine for 48-72 hours after use, so his explanation is not plausible as the test was administered a week after his release.

As detailed in this petition, Mack has missed multiple drug tests and is not calling the drug testing line as instructed. Review of the call log reflects that he had only called on February 27, 2022 at approximately 9:37 A.M. and 9:40 A.M. Mack was instructed to drug test on March 2, 2022 for failing to attend the last scheduled drug test. Mack failed to attend the drug test on March 2, 2022.

On March 4, 2022, Mack was instructed again on calling the drug testing line. Mack again failed to call the drug testing line as instructed.

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The undersigned officer attempted to contact Mack telephonically, but Mack has only responded by text message. On March 8, 2022, Mack was instructed to contact the undersigned officer. He responded via text message saying he was getting out of class at 5:30 pm and would call then. Mack did not contact the undersigned officer that date.

On March 9, 2022, the undersigned officer instructed Mack via text message to report to the probation office on March 10, 2022 at 9:00 am to discuss his noncompliance. He responded via text message that he would arrive at 11:00 am but never reported.

Mack is once again demonstrating that he is not amenable to community supervision and is refusing to submit to drug and alcohol testing. Pursuant to 18 U.S.C. § 3583 (g)(3), revocation is mandatory if a person under supervision refuses to comply with drug testing as a condition of supervised release. Mack has an extensive criminal history resulting in a criminal history category VI. Mack has a history of violence, weapon related offenses, theft, escape, and drug use. Mack is a danger to the community as he recently tested positive for methamphetamine and has not tested since. It stands to reason his failures to report for testing is because he is actively abusing methamphetamine. Mack also poses a risk of nonappearance based on his history of absconding and failure to appear. It is respectfully recommended a warrant be issued so that revocation proceeding may be initiated.

Respectfully submitted,



Digitally signed by
Javier Muruato-Cortez
Date: 2022.03.11
12:07:26 -08'00'

Javier Muruato
U.S. Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2022.03.11 12:01:19
-08'00'

Todd J. Fredlund
Supervisory United States Probation Officer